R E M A R K S

Reconsideration of this application, as amended, is respectfully requested.

THE CLAIMS

Claim 1 has been amended to recite even more clearly that the light transmittance of the absorbent article itself, including all three of the top sheet, the back sheet, and the absorbent body, at the colored area is at least 15% in the thickness direction.

Claim 2 has been amended to recite even more clearly that a light transmittance of the absorbent article itself, including all three of the top sheet, the back sheet, and the absorbent body, at the inspection portion is at least 15% in a thickness direction. (According to claim 2, the inspection portion is provided at a non-colored area of the back sheet.)

And claim 3 has been amended to recite even more clearly that the light transmittance of the absorbent article itself, including all three of the top sheet, the back sheet, and the absorbent body, at the inspection portion is at least 15% in the thickness direction. (According to claim 3, the inspection portion is provided at a colored area of the back sheet.)

The amendments to claims 1-3 are supported by the disclosure throughout the specification and drawings. For example, the

specification discloses that an optical sensor "measures a specific area of a sanitary napkin as a final product," that "a product with a light transmittance of less than 15% is recognized as an unacceptable product," and that a problem in the prior art is that "when an air-permeable film as the back sheet is colored . . ., the light transmittance of the back sheet becomes less than 15%, and the product with such back sheet can be [unintentionally identified as] an unacceptable product when being checked by the optical sensor in the inspection process of the manufacturing process." (Paragraphs [0006] and [0007] on pages 3 and 4. Emphasis added.)

In addition, the specification discloses that in the manufacturing process of a napkin 1, an inspection process is performed "to discriminate between acceptable products and so-called unacceptable products." Issues addressed in the inspection process include "whether the absorbent body 4 is certainly included between the top sheet 2 and the back sheet 3; [if the absorbent body 4 is included], whether the absorbent body 4 is twisted, misaligned or defective; whether a foreign substance is added thereto; and the like." To perform the inspection process, an "optical sensor outputs light to the napkin 1, and by the transmittance thereof, or the light transmittance, the napkin 1 is determined to be the acceptable or unacceptable product. Specifically, a napkin with a light

transmittance of 15% or more is determined to be an acceptable product, and a napkin with a light transmittance less than 15% is determined to be an unacceptable product." (Paragraph [0032] on pages 16 and 17. Emphasis added.) See also, for example, paragraphs [0037]-[0038] on pages 19 and 20, and paragraph [0041] on page 22.

Still further, according to the specification in paragraph [0033] on page 17, "it is preferable that the light transmittance of the napkin 1 using the back sheet 3, which is a printing film, is 15% or more." The napkin includes the top sheet 2, back sheet 3, and absorbent body 4, as explained in paragraph [0022] on pages 10 and 11.

As the Examiner points out on page 3 of the Office Action, the specification discloses that the back sheet 3 has a light transmittance of 15% or more. As noted above, however, the specification also discloses that the absorbent article, including the top sheet 2, the back sheet 3, and the absorbent body 4, has a light transmittance of 15% or more, so that inspection of a final product of the entire napkin 1 can be performed by transmitting light through the napkin 1 (including the absorbent article, which includes the top sheet 2, the back sheet 3, and the absorbent body 4).

Thus, the specification fully supports the features recited in amended independent claims 1, 2, and 3.

Claim 6 has been amended to correct a clerical error.

No new matter has been added, and it is respectfully requested that the amendments to the claims be approved and entered.

THE PRIOR ART REJECTION

Claims 1-12 were rejected under 35 USC 102 as being anticipated by US 2001/0044611 ("Noda et al"). This rejection, however, is respectfully traversed with respect to the claims as amended hereinabove.

Amended independent claim 1 recites even more clearly that the light transmittance of the absorbent article itself, including all three of the top sheet, the back sheet, and the absorbent body, at the colored area is at least 15% in the thickness direction. Amended independent claim 2 recites even more clearly that a light transmittance of the absorbent article itself, including all three of the top sheet, the back sheet, and the absorbent body, at the inspection portion is at least 15% in a thickness direction. (According to claim 2, the inspection portion is provided at a non-colored area of the back sheet.) And amended independent claim 3 recites even more clearly that the light transmittance of the absorbent article itself, including all three of the top sheet, the back sheet, and the absorbent body, at the inspection portion is at least 15% in the

thickness direction. (According to claim 3, the inspection portion is provided at a colored area of the back sheet.)

With this structure of the claimed present invention, an inspection to discriminate between acceptable and unacceptable products, in which light is transmitted through a final product including the absorbent article, can be performed appropriately.

It is respectfully submitted that Noda et al does not disclose, teach or suggest the above described structure recited in amended independent claims 1, 2 and 3. Noda et al in fact merely discloses a light transmittance of certain layers of a back sheet of a disposable diaper.

More specifically, Noda et al discloses a disposable diaper 1 having a liquid-impermeable backsheet 3. According to Noda et al, the backsheet 3 includes a breathable film 3a, a first nonwoven material 3b, and a second nonwoven material 3c. The nonwoven materials 3b and 3c are stacked on the permeable film 3a. See paragraph [0018] and Fig. 2(b).

Noda et al discloses that a pattern 10 is printed on the breathable film 3a. The pattern is viewable through the nonwoven materials 3b and 3c. See paragraphs [0025]-[0027] and Fig. 1.

In order to make the pattern 10 clearly viewable even through the nonwoven materials 3b and 3c, the light transmittance of the nonwoven materials 3b and 3c must be sufficiently high. Noda et al discloses that the total luminous transmittance of the

two nonwoven materials 3b and 3c should be 40 to 83%. See paragraph [0031].

Thus, Noda et al merely discloses light transmittance values for two non-woven layers 3b and 3c, which cover the printing surface of a breathable film 3a, in the backsheet 3. However, Noda et al does not disclose, teach or suggest, a light transmittance (in the thickness direction) of an absorbent article itself, including all three of the top sheet, the back sheet, and the absorbent body, as recited in amended independent claims 1, 2, and 3. Indeed, the light transmittance of the sheets 3b and 3c according to Noda et al is to "secure clearness of the pattern 10 [printed on the breathable film 3a] even when seen through the nonwoven materials 3b and 3c" (paragraph [0031]), not to enable inspection of a finished product including an absorbent article (including a back sheet, a top sheet, and an absorbent body) using an optical sensor.

Accordingly, it is respectfully submitted that Noda et al clearly does not disclose, teach or suggest the structure of the present invention as recited in amended independent claims 1, 2 and 3 whereby the light transmittance of the absorbent article itself, including all three of the top sheet, the back sheet, and the absorbent body, is at least 15% in the thickness direction.

In view of the foregoing, it is respectfully submitted that amended independent claims 1, 2, and 3, and all of the claims respectively depending therefrom clearly patentably distinguish over Noda et al under 35 USC 102 as well as under 35 USC 103.

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Entry of this Amendment, allowance of the claims and the passing of this application to issue are respectfully solicited.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

Respectfully submitted,

/Douglas Holtz/

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